

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**BERRY MORROW,
ADC #143825**

PLAINTIFF

V.

CASE NO. 5:14CV00160-BSM-BD

**ARKANSAS DEPARTMENT OF
CORRECTION, et al.**

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedures for Filing Objections

This Recommended Disposition (“Recommendation”) has been sent to Chief United States District Court Judge Brian S. Miller. Any party may file written objections to this Recommendation.

Objections must be specific and must include the factual or legal basis for the objection. An objection to a factual finding must identify the finding of fact believed to be wrong and describe the evidence that supports that belief.

An original and one copy of your objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation. A copy will be furnished to the opposing party.

If no objections are filed, Judge Miller can adopt this Recommendation without independently reviewing all of the evidence in the record. By not objecting, you may also waive any right to appeal questions of fact.

Mail objections to:

Clerk, United States District Court
Eastern District of Arkansas
600 West Capitol Avenue, Suite A149
Little Rock, AR 72201-3325

II. Discussion

On April 28, 2014, Berry Morrow, an inmate at the Arkansas Department of Correction (“ADC”), Maximum Security Unit, filed this lawsuit pro se under 42 U.S.C. § 1983 and was granted leave to proceed *in forma pauperis*. In his complaint, Mr. Morrow alleged that his constitutional rights were violated over the course of five years, while he was housed in four different ADC units.

Due to deficiencies in his complaint, Mr. Morrow was ordered to file a substituted complaint that: (1) asserted only one constitutional claim; (2) specifically identified the individuals who were responsible for the alleged violation; and (3) stated what injury he suffered as a result of the Defendants’ actions. Mr. Morrow was granted additional time to submit the required information, but he still has not complied with this Court’s May 14, 2014 and June 6, 2014 Orders. He has not filed a substituted complaint; and the time for doing so has expired.

The Court recommends that Mr. Morrow’s claims be dismissed, without prejudice, under Local Rule 5.5(c)(2), for failure to comply with court orders.

DATED this 26th day of August, 2014.


UNITED STATES MAGISTRATE JUDGE